

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated March 22, 2005 are respectfully requested. The applicant has cancelled claims 6, 11, 12, and 19 without prejudice in an effort to expedite issuance of a patent and introduced new claims 21-24. No new matter has been added. Claims 1-5, 7-10, 13-18, and 21-24 are currently pending in this application.

The applicant amended some of the claims to more clearly emphasize the present invention for the sole purpose of expediting issue of a patent, but reserves the right to reintroduce the original claims at a later date or in a later continuation.

I. Objections of the specification

The Examiner requested correction of the specification. The applicant respectfully believes that correction of the specification is not necessary for the following reasons.

Claim 9 includes the language: the "scalability feature". The specification sufficiently describes the language. The specification describes that "a single accelerometer chip is placed...which allows relative motion to be measured in multiple planes." See paragraph 7. Moreover, the specification describes that "motion of a display device controls an object viewer, where the object being viewed is typically essentially stationary..." See paragraph 22. Furthermore, the specification describes that "[m]otion sensing...may be done by a variety of different approaches..." See paragraph 22.

Claim 10 includes the language: the "navigation capability of the physical map." The specification describes that "motion of a display device controls an object viewer, where the object being viewed is typically essentially stationary..." See paragraph 22. Furthermore, the specification describes that "[m]otion sensing...may be done by a variety of different approaches..." See paragraph 22.

Claim 20 includes the language: the "handwriting recognition capability." Motion sensing of the display may be done by a variety of different approaches including mounting accelerometer chip. See Figs. 6 and 7; paragraph 22. Moreover, the slanted

surface allows components of motion to be detected in more than one plane. See Fig. 8; paragraph 29. Furthermore, an optimum angle of circuit board will maximize directional sensing. See paragraph 29.

Although the applicant believes the claim language satisfies antecedent basis, the applicant is open to suggested language should the Examiner have any.

II. Claim Objection

In the Office Action mailed 22 March 2005, the Examiner objected to claim 17. Claim 17 was amended in the 26 September 2005 Response to include the feature "wherein the slanted surface allows components of motion to be detected in more than one plane." Withdrawal of this objection is respectfully requested.

III. Rejections under 35 U.S.C. §112, second paragraph

The Examiner has rejected claims 5, 9, 10, 19, and 20 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 19 has been cancelled without prejudice.

The claims have been amended to correct antecedent basis. The applicant thanks the Examiner for identifying the clerical errors. Withdrawal of the rejections is respectfully requested.

IV. Rejections under 35 U.S.C. §102

The Examiner rejected claims 1-3, 5, 6, 8, 11, and 13-19 under 35 U.S.C. 102(a) as allegedly being anticipated by Applicant's Admitted Prior Art. This rejection is respectfully traversed for the following reasons.

A. The Prior Art

The Applicant's Admitted Prior Art discloses a personal digital assistant. See Fig. 2. Admitted Prior Art discloses that some of the accelerometers must be mounted perpendicular to the circuit board. See paragraph 5. Admitted Prior Art teaches multiple orthogonal accelerometers such as a network of two or three accelerometers. See Fig. 4; paragraph 24. Admitted Prior Art discloses that three accelerometers are

required for the X, Y, and Z directions. See paragraph 5.

B. The Prior Art Distinguished

Amended Claim 1 includes the language: "wherein the tracking means contains an accelerometer chip mounted at a ***non-perpendicular*** angle." (emphasis added).

To anticipate a claim, the prior art reference must teach every element of the claim. MPEP 2131. Since the prior art does not disclose mounting the accelerator chip at a non-perpendicular angle, the prior does not teach each and every element of claim 1. Therefore, claim 1 is allowable over the prior art.

Claims 2, 3, and 5, which depend from claim 1, are allowable for at least the same reasons as claim 1. Claim 5 includes the language: "wherein an orientation of a certain portion displayed is redefined in response to a request by a user." The applicant respectfully submits that the prior art does not disclose "an orientation of a certain portion displayed is redefined in response to a request by a user." at paragraph 18, as the Examiner asserts at page 5 of the Office Action, or anywhere else. Therefore, amended Claim 5 is allowable over the prior art.

Claim 6 is cancelled without prejudice.

Claim 8 includes the language: "wherein acceleration may be detected in more than one plane of motion." The Admitted Prior Art discloses multiple accelerometers to detect acceleration in multiple planes. Each of the accelerators detects acceleration in one plane only. Therefore, amended claim 8 is allowable for at least the same reasons as claim 1.

Claim 11 has been cancelled without prejudice. Claims 13-15, which depend from claim 24, are allowable for at least the same reasons as claim 24, discussed later.

Claim 14 includes the language "wherein the accelerometer produces signals used to control an electrical device." The Admitted Prior Art discloses a Personal Digital Assistant 20. See Fig. 2; paragraph 17. The Art does not disclose if an accelerometer is used to control the Personal Digital Assistant 20. Therefore, amended claim 14 is allowable for at least the same reasons as claim 11.

Claim 15 is allowable for at least the same reasons as claim 14.

Claim 16 includes the language "a circuit board that contains a slanted surface; and an accelerometer chip mounted on said slanted surface." The Admitted Prior Art

discloses flat surfaces for mounting accelerometers at right angles. Claim 16 is allowable over Admitted Prior Art.

Claims 17-18, 20, and 21, which depend from claim 16, are allowable for at least the same reasons as claim 16.

Claim 19 is cancelled without prejudice.

V. Rejections under 35 U.S.C. §103

The Examiner rejected claims 4, 7, 9, 10, 12, and 20 under 35 U.S.C. 103(a) as allegedly being unpatentable over Applicant's Admitted Prior Art in view of Svancarek et al. (6,249,274 B1). This rejection is respectfully traversed for the following reasons.

A. The Prior Art

Svancarek et al. disclose a computer input device having inclination sensors. An inclination sensor is disposed to detect inclination of the user input device. After careful study of the teachings of the Svancarek et al. reference, the applicant has found no teaching of an accelerometer sensing multi-planar motion. Rather, Svancarek et al. teach multiple accelerometers for sensing multi-planar motion. See Col. 6, lines 27-33. Svancarek et al. describe, at col. 6, lines 1-26, an angle which is perpendicular between V_{REST} and V_G . Notably, Svancarek et al. disclose V_{REST} and V_G are planar vectors that V_{REST} and V_G form an angle between an accelerometer and a circuit board. Svancarek et al., at col. 8, lines 18-20, teach a system which produces a square, linear output in a user input device

B. The Prior Art Distinguished

Claim 4 includes the language: "wherein the angle formed between the accelerometer chip and the circuit board is 19 degrees." The Examiner asserts at page 7 of the Office Action that "Svancarek discloses the angle formed between an accelerometer chip and a circuit board being 19 degrees." The applicant respectfully disagrees. Rather, Svancarek et al. disclose, at col. 6, lines 3-13 and fig. 4B, that the vectors V_{REST} and V_G form a 90° angle. However, the angle is not an angle between an accelerometer and a circuit board. The applicant is unable to find any teaching in Svancarek et al. regarding the angle between an accelerometer and a circuit board.

For at least these reasons, claim 4 is allowable over Svancarek et al.

To establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations. Since the Admitted Prior Art and Svancarek et al. do not teach, when considered alone or in combination, that an angle formed between an accelerometer chip and a circuit board is 19 degrees, claim 4 is allowable over the references. Claim 7 is allowable for similar reasons.

Claim 9 includes the language: "wherein the scalability feature is controlled by user input separate from tracked movement of the display device." Scalability feature is disclosed. Although the Examiner cites Svancarek et al. col. 2, lines 46-col. 3, line 30, which describes a general purpose computing device in a traditional personal computer, a scalability feature is not disclosed therein. After careful study of the teachings of Svancarek et al. reference, the applicant has found no teaching of a scalability feature. Therefore, claim 9 is allowable over Svancarek et al.

Claim 10 includes the language "the navigation capability of the physical map includes a scalability feature allowing adjustment of the scalability of the physical map...to provide a viewer of the display device views of the physical map having different magnifications." After careful study of the teachings of Svancarek et al. reference, the applicant has found neither a scalability feature nor a navigation capability of the physical map. Therefore, amended claim 10 is allowable over the prior art of record.

Claim 12 has been cancelled without prejudice.

Amended claim 20 includes the language: "wherein the PDA has handwriting recognition capability." The slanted surface allows components of motion to be detected in more than one plane. See Fig. 8; paragraph 29. An optimum angle of circuit board will maximize directional sensing. See paragraph 29. Svancarek et al. do not disclose handwriting recognition capability. Therefore, claim 20 is allowable over Svancarek et al.

The applicant respectfully requests the Examiner withdraw the rejections of claims 4, 7, 9, 10, 12, and 20.

VI. New Claims

Claim 21 is allowable at least for depending from an allowable base claim.

Claims 22-24 are allowable for reasons similar to those described above with reference to claims 1 and/or 16.

VII. Conclusion

We thank the examiner for the phone interview on January 24, 2008. A copy of this proposed response was provided for the examiner's review for the interview and we reached an agreement that this response would be compliant to the rules and regulations of USPTO. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at (650) 838-4441 to arrange for such a conference. No fees are believed to be due; however, the Commissioner is authorized to charge any underpayment in fees to Deposit Account No. 50-2207.

Respectfully submitted,

Date: Jan 24 2008



Brian R. Coleman
Reg. No. 39,145

Correspondence Address:

Customer No. 22918

Perkins Coie LLP

P.O. Box 2168

Menlo Park, CA 94026-2168

(650) 838-4300